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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,325	07/02/2001	Kouichiro Hara	010831	6713

23850 7590 02/14/2006

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EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/895,325	Applicant(s) HARA, KOUICHIRO	
	Examiner Jerome Grant II	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2005.
- 2a) ☒ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

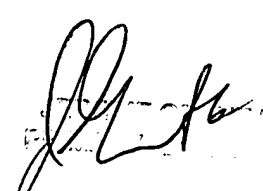
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Pat 02-187859 to Shiyouji in view of Komei

With respect to claim 1, Shiyouji teaches a home delivery locker system, shown by figure 1, comprising: a home delivery locker (elements 10-19), a managing center (see element 4) for managing the home delivery lockers. The home delivery locker and the managing center are connected through a communication line (note the arrows connecting elements 2-4). Shiyouji teaches that it is possible to notify the recipient, by utilizing different communication means, that a parcel is deposited in a delivery locker. Shiyouji teaches that a recipient can be notified by telephone (see para 40.

Shiyouji at least suggests the recipient information including at least a recipient room number. This corresponds to line 2 of the Constitution. The person requesting a home delivery will have the merchandise delivered to his/her home. Thus, the home address number or room number is obvious.

However, Shiyouji does not teach that the managing center is allowed to receive information indicating that a parcel is stored in a delivery locker.

Komei teaches the use of sensors to detect the presence or absence of the delivered parcel, see elements 15a-15n.

Therefore, it would have been obvious to one having ordinary skill in the art to integrate Komei's detection sensor into Shiyouji's locker system to detect the absence or presence of the parcel in a delivery locker, the managing center can then receive information from the output of these sensors via the communication means. The motivation is based upon the automatic system that conveniently notifies the recipient of the delivered parcel, for example, when the recipient is not at home, the recipient can get the information delivered over the telephone.

With respect to claim 2, in order for the managing center or the locker to automatically notify the recipient of the delivered parcel, it is clear that the managing center or the locker must know the recipients preferred method of communication. This registration of communication is done by the recipient at some point prior to receiving

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the the delivered parcel. The recipient can simply contact the managing center to provide this information or the managing staff at the managing center can simply contact the recipient to acquired this information.

Moreover, Shiyouji further discloses that the contact information of the recipient is stored at the managing center, see para. 30; lines 4 and 5. Therefor, this contact information must be registered or entered into the system at some time, and no one has knowledge or such information except the recipient. So the recipient must provide this information along with the preferred method of communication be entered.

With respect to claim 4, Shiyouji teaches all of the subject matter upon which the claims depend except for the managing center is allowed to receive information indicating that a parcel is stored in a delivery locker.

It would have been obvious to one of ordinary skill in the art to combine Komei's detection sensors with Shiyouji's locker system to allow the managing center to receive information regarding a delivered parcel stored in the delivery locker. Shiyouji and Komei suggest that the recipient can access a site at the managing center. Moreover, it would have been obvious to use the server 40 or 42 as the web server to provide access to recipients for the purpose of checking for delivery.

2.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shiyouji in view of Komei further in view of Kudo

Shiyouji in view of Komei teaches the subject matter upon which this claim depends. What is not shown by the combination is the use of a telephone automatic answering system at the managing center or at the delivery locker.

Kudo teaches the user of a telephone answering system. A user can call the answering system to hear the playback of a stored message (see col. 4, lines 61-68)

It would have been obvious to one of ordinary skill in the art to use an automatic answering machine as taught by Kudo to be combined with the managing center or the delivery locker. For the, the managing center determines how many recipients need to be informed of the awaiting parcel and then creates the same number of messages to be stored in the automatic answering system. Whenever, a recipient calls to acquire delivery information the automatic answering system starts the

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playback of the stored message that was assigned to that recipient . Therefore, it would have been obvious to one having ordinary skill in the art to apply the telephone automatic answering system as taught by Kudo to the combined system to provide delivery information to the recipient via the telephone for the purpose of providing a convenient way for the recipient to receive delivery information.

3.

Examiner's Remarks

In the second full paragraph of page 6, applicant argues that Shiyouji does not teach the management center as claimed. However, applicant has neither shown nor provided evidence as to why element 4 of the reference does not constitute the managing center. Applicant merely makes an allegation that the managing center is not taught by the reference.

Applicant argues that neither of the references address the recipient gaining access to the management center. Assuming applicant is arguing claim 1, there is no recitation in claim 1 directed toward a recipient accessing the management center. Furthermore, applicant argues that a web server could not be used because it does not have a secure communication link. Not conceding that element 4 is not a secure web server, there is no language in claim 1 indicating that the management center had to be secure.

With respect to the new limitation added to claim 1, this is at least suggested in view of the fact that a person requests a home delivery of merchandise. The home address suggests the room number which is part of the recipient information as claimed.

4.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

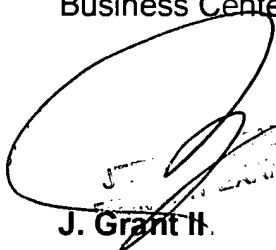
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams, can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J. Grant II
EXAMINER